

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Plaintiff,

vs.

PLATFORM SOLUTIONS, INC.,

Defendant.

Civil Action No. 06 cv 13565-SJR

REQUEST FOR LEAVE TO WITHDRAW

Pursuant to Local Rule 1.4, James T. Southwick of Susman Godfrey LLP respectfully requests leave to withdraw as counsel of record for Defendant and Cross-Complainant Platform Solutions, Inc. in the above-captioned matter for reasons set forth in the attached affidavit. Stephen Susman, Stephen Morrissey, Jacob Buchdahl, Tibor Nagy, and Ryan Kirkpatrick, all of Susman Godfrey LLP, will remain as counsel of record for Platform Solutions, Inc. In addition, this litigation is in its early stages. Accordingly, Mr. Southwick's withdrawal will not prejudice either party or delay this litigation in any way.

Dated: June 8, 2007

STEPHEN D. SUSMAN
STEPHEN E. MORRISSEY (Pro Hac Vice)
TIBOR L. NAGY
RYAN KIRKPATRICK (Pro Hac Vice)
SUSMAN GODFREY L.L.P.

By: /s/ Ryan C. Kirkpatrick

Ryan C. Kirkpatrick
Attorneys for Defendant and Cross-Complainant
Platform Solutions, Inc.

**AFFIDAVIT OF JAMES T. SOUTHWICK IN SUPPORT OF REQUEST FOR LEAVE
TO WITHDRAW**

James T. Southwick, after first being duly sworn, upon his oath, makes this affidavit and states the following:

1. I am a partner with Susman Godfrey LLP. I am over the age of twenty-one (21) years, am competent to testify to the matters stated herein, have personal knowledge of the facts and statements in this affidavit, and each of the facts and statements is true and correct.

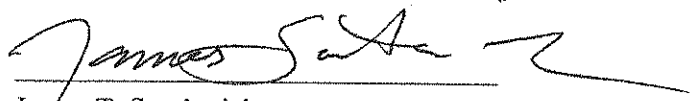
2. I am an attorney of record for Platform Solutions, Inc. in the above-entitled matter.

3. I am no longer involved in the above-captioned case and therefore seek to withdraw as an attorney-of record.

4. My colleagues, Stephen Susman, Stephen Morrissey, Jacob Buchdahl, Tibor Nagy, and Ryan Kirkpatrick, all of Susman Godfrey LLP, will remain as counsel of record for Platform Solutions, Inc.

5. This litigation is currently in its discovery stage.

I declare under penalty of perjury under the laws of New York and the United States of America that the foregoing is true and correct. Executed on June 8, 2007.


James T. Southwick

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document REQUEST FOR LEAVE TO WITHDRAW; AFFIDAVIT OF JAMES T. SOUTHWICK IN SUPPORT OF REQUEST FOR LEAVE TO WITHDRAW; and ORDER has been served on this 8th day of June, 2007, via electronic mail:

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Attorneys for Plaintiff
International Business Machines Corporation

/s/ Ryan Kirkpatrick
Ryan Kirkpatrick

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**ORDER GRANTING JAMES T.
SOUTHWICK'S APPLICATION TO
WITHDRAW AS COUNSEL OF RECORD
FOR PLATFORM SOLUTIONS, INC.**

Upon the motion of Ryan Kirkpatrick, attorney for defendant Platform Solutions, Inc.,
and the affidavit of James T. Southwick in support;

IT IS HEREBY ORDERED that James T. Southwick is granted leave to withdraw as
counsel of record for Platform Solutions, Inc.

Dated:

United States District/Magistrate Judge